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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street

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MEMORANDUM

DATE: 3/26/92

SUBJECT: Preliminary Assessment Review

Facility: Evergreen Oil, Inc. PA date: 3/26/92

FROM: Peter M. Geiger, Ecology and Environment, Inc.

TO: Karen Schwinn
Chief, Waste Compliance Branch

THROUGH: Nancy Lindsay, Chief, Corrective Action Section

I. FACILITY DESCRIPTION

Facility Name: Evergreen Oil, Inc.

Address: 6880 Smith Avenue
Newark, California 94560

EPA ID Number: CAD980887418

DTSC Region (if CA): 2 (Berkeley)

RWQCB Region (if CA): 2 (SF Bay)

A. Brief Description of Facility Operations and Hazardous Waste Management:

The Evergreen Oil, Inc. (Evergreen Oil) facility receives, stores, and processes used lubricating oils. Evergreen also is permitted to accept waste ethylene glycol and transfer it by tanker truck to an off-site treatment facility; however, they are not currently handling waste ethylene glycol.

The Evergreen complex consists of one main building, several mobile temporary offices and a large processing area. The processing area includes a bobtail and semi-trailer tanker truck off-loading area, an extensive tank farm area, a waste oil recycling refinery, and a small bermed generator drum storage area which contains both hazardous wastes and chemical product material.

B. SWMU Release Inventory:
The following is a table of Solid Waste Management Units (SWMUs) releases and release potential to the various media. Releases are described with either a "D" for Documented, a "V" for Visual, or a "P" for Potential. Potential releases are further characterized as "H," "M," or "L" for High, Medium and Low. RCRA-regulated units are starred with an asterisk.

SWMU #	Name	Soil	GW	SW	Air
1	Truck off-loading area	PL	PL	PL	PH
2	Tank Farm	PL	PL	PL	PH
3	Refinery	PL	PL	PL	PH
4	Drum Storage Area	PL	PL	PL	PH
5	Oil/Water Separators	PL	PL	D	PL
6	Areas of Concern	PL	PL	PH	PH

Stormwater runoff was regularly discharged from an oil water separator into the adjacent flood control channel for a period of 2 years. This flood control channel empties into the San Francisco Bay National Wildlife Refuge.

The light components of the used oil are separated and are burned on-site in a waste-to-energy unit. This may be an unpermitted treatment or disposal practice.

Used lubricating oils that are refined on site are not managed as RCRA hazardous wastes. The used lubricating oils may have hazardous constituents that would cause them to be hazardous wastes; however, this determination cannot be made because the Toxicity Characteristic Leaching Procedure (TCLP) analysis has not been performed for the used oils. EPA presently does not perceive Evergreen as taking in or treating RCRA regulated wastes.

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II. ENVIRONMENTAL SIGNIFICANCE:

A. Hazardous Waste Exposure and Constituent Information
Instructions:

1. Designate as appropriate: D - documented evidence (e.g. analytical data), V - visual evidence (e.g. observed spills, stained soils, etc.), P -potential for release (e.g. past waste management practices suggest probable releases, known soil contamination has probably caused groundwater contamination, etc.). Specify documentation, who saw visual evidence, and/or rationale for potential release, if known.

2. Provide released or potentially released listed waste or constituent information to each appropriate media. Include volume of waste released, if known, toxicity (using toxicity table), and physical state of contaminants (e.g. gas, liquid, sludge, stable solid).

3. Indicate whether release has already been remediated.

4. Stabilization is appropriate if:

   a. there are actual or imminent exposure threats to humans or ecosystems at levels of concern;
   b. inexpeditiously addressed releases will result in further significant contamination; or
   c. site characteristics suggest that the site may be amenable to control or abatement of imminent threats.

N/A — Imminent danger to public health/environment.
Immediate action required; explain:

N/A — Stabilization measures appropriate; explain:

PL — Release to soil. D V P

PL — Release to groundwater. D V P

D — Release to surface water. D V P

During a storm event an oil water separator backed up and discharged approximately 20 gallons of mixed oil-water waste into the flood control channel.

D — Release to air. D V P

An asphalt tank exploded in 1986. There have been complaints by nearby residents of odors.

X — High Potential for Migration (media: air)

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__X__ Sensitive environmental receptors onsite or within 3 miles (endangered species, wetlands, etc.) Explain: California clapper rails, California brown pelicans, and salt marsh harvest mouse are in or near Mowry Slough. Mowry Slough is part of S.F. Bay National Wildlife Refuge.

__No__ No releases

Extent of Site Characterization (check one):

__X__minimal _____extensive _____unknown

B. **Exposure Considerations:** (D - Documented, P - Potential)
Skip this section if there is no potential or documented release.

1. Groundwater (GW): If potential exposure is a concern, please specify whether release is "highly suspected" (HS). A highly suspected release to groundwater means that there is known soil contamination from a large volume of mobile constituents with high migration potential where there is no known aquiclude between contaminated soil and ground water.

__No__ Current GW drinking water source impacted

__No__ Sole Source (Class I) aquifer impacted

__No__ Impacts on potable water aquifer but not currently used as drinking water

Depth to GW__60 feet_____ GW flow direction__South__

Perched water was encountered on site at a depth of 6 to 10 feet. This is not a true aquifer.

Direction/Distance to nearby wells__0.75 mile/northeast____

Population Served __Unknown__

It is not known if these wells are currently used for drinking water. As of 1982 these wells were not listed as abandoned.

2. Surface Water (SW):

__N/A__ SW drinking water source impacted

Direction/Distance to SW drainage channel across street (SE) flows approximately 2 miles southeast to Mowry Slough which meanders approximately 5 miles south then west to SF Bay.

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2 miles Distance to sensitive environment related to SW contamination

Mowry slough is within San Francisco Bay NWR.

N/A Distance to drinking water supply intake or contact point No DW use. Boat landing at Mowry Slough, but doubt that swimming etc. occurs there.

Net Precipitation -26 in. 24 hour rainfall 2.5-3.0 in.

Permitted outfall No Permit Violations N/A

No Flood prone area No 100-yr flood plain

X Fishing, recreation water source impacted

No Irrigation, livestock water source impacted

The following near coastal waters and Estuary factors should not be considered in the initial staff prioritizing process. The information will be considered by management with the recommendation.

Check if contamination affects any of the following near coastal waters:

_____ Apra Harbor (Guam)
_____ Babelthaup Island Bays (Palau)
_____ Kaiaka Bay (Hawaii)
_____ Kailua Bay (Hawaii)
_____ Kona Coast (Hawaii)
_____ Morro Bay (California)
_____ Pago Pago Harbor (American Samoa)
_____ Pearl Harbor (Hawaii)
_____ San Diego Bay (California)
_____ Tijuana Estuary (California)

Check if contamination affects either of these Estuary projects:

X San Francisco Bay/Delta
_____ Santa Monica Bay

3. Air:

No Blowing dust; nearby population approximately 1,600 feet northeast

Yes Air permits Yes Permit violations

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Yes Can contaminants migrate into air?

118,919 Target Population < 4 miles (# and distance)

4. On site:

Accessibility: inaccessible _____
limited access X
poor security _____

No Observed surface soil contamination

III. SITE ENVIRONMENTAL PRIORITY

Instructions: Assign priority based on technical considerations only. Final priority should be briefly explained in terms of potential exposure to human health and the environment based on the technical considerations in Sec. II.

_____ High Priority

* Known or highly suspected release which has resulted in, or which has high potential for, exposure to human population and sensitive environments (other than near coastal waters and estuary project sites), in the short term (< 10 years). Choose this priority if there is known or highly suspected contamination to a sole source aquifer currently being used.

X Medium Priority

* Known or highly suspected release with potential for exposure to human health and sensitive environments (other than near coastal waters and estuary project sites) in the long term (> 10 years).

_____ Low Priority

* Known or highly suspected release, but unlikely adverse effect on human health and the environment.

_____ No Further Action

* No evidence of a release that could adversely affect human health and the environment.

Comments/Rationale to support priority:

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IV. RCRA PERMITTING STATUS

A. Contact Person(s):

#	Name	Contact Date	Phone	Agency
1				EPA-Permits
2	Daisy Lee	11/12/91	510/540-3933	DTSC
3				RWQCB
4	Gary Zanardi	1/30/92	510/790-0100	USD

B. Current Status (mark all applicable):
Instructions: For source, indicate file document or numeral for contact person listed above.

__X__ Operating RCRA TSDF; Source: RCRA Database 10/16/91

__N/A__ Not Operating RCRA TSDF; Source:

__N/A__ Bankrupt Facility; Source:

__N/A__ Non-Notifying TSDF - should be a RCRA TSDF but didn't submit a Part A permit application. Source:

__X__ Generator only - never operated as a TSDF. Source: EPA Inspection 7/11/91

__X__ Permitted TSDF or Seeking Permit; Source: DTSC, Daisy Lee 11/12/91

Date Permitted: 10/11/85 Agency: DHS

Part B Permit Application Submitted? Yes

Permit Application Review Lead (circle)
EPA **STATE** OTHER (specify)

Corrective Action in (draft) Permit? No

Expected Permit Issuance Date:

Permit Expiration Date: 10/11/90

Permit Renewal Application Submitted Yes

(Expected) Renewed Permit Issuance Date:

Renewed Permit Expiration Date:

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N/A Closed or Closing Facility; Source:

Closure Plan Submittal (Expected) Date:

Closure Plan Review Lead (circle all applicable):
EPA STATE OTHER (specify)

Closure Plan Approved? Y N Date:

Closure Certification Received? Y N

Clean Closed? Y N

Closure Certification accepted by EPA/DTSC? Y N

N/A Post-Closure permit; Source:

Post-Closure Permit Application Submitted? Y N

Post-Closure Permit Application Review Lead
EPA STATE OTHER (specify)

Corrective Action in (draft) Permit Y N NA

(Expected) Post-Closure Permit Issuance Date:

N/A Combination: some units closing, some seeking permit (i.e. partial closure). Source:
Explain:

N/A Part A Withdrawal Candidate; Source:
Explain:

N/A RWQCB Waste Discharge Requirements requiring investigation and/or remediation in Effect (CA only)

Other Comments:

EPA does not consider Evergreen a TSD facility while DHS does. TCLP of used oil has not been performed by Evergreen.

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V. OTHER REGULATORY ACTIVITIES RELEVANT TO CORRECTIVE ACTION

A. Contact Person(s):

#	Name	Contact Date	Phone	Agency
6	Pat Kuefler	3/4/92	415/744-2144	EPA-Enforc
7				EPA CERCLA
8				DTSC-Enforc
9	Gary Zanardi	1/30/92	510/790-0100	USD
10				RWQCB
11				
12				

B. Activity
Instructions: mark all applicable; note any pertinent outstanding violations.

_____ EPA Enforcement Action with Activities Relevant to Corrective Action; Source:
Date:
Explain:

_____ State Enforcement Action with Activities Relevant to Corrective Action; Source:
Date:
Explain:

_____ Regional Water Board Order or WDR Requiring Corrective Action (CA only); Source:
Date:
Explain:

__X__ Other Agency Enforcement Action with Activities Relevant to Corrective Action; Source: Gary Zanardi, USD, 1/30/92
Date: 10/1/92
Explain: Administrative Order #91-006 from POTW

VI. OVERALL STATE LEVEL OF INVOLVEMENT IN CLEAN-UP ACTIVITIES

(based on state actions, level of state staff person's oversight)
Mark one:

_____ High __X__ Medium _____ Low _____ None

Rationale:

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VII. FACILITY WILLINGNESS/ABILITY TO PERFORM CORRECTIVE ACTION

__X__ Facility is cooperative

_____ Facility is uncooperative; Explain:

_____ Unknown

_____ Facility may be financially unable to complete work.
Explain:

Other Comments:

Facility would like to get Interim Status. Facility would like to see waste oil regulated as a RCRA hazardous waste.

cc: Nancy Nadel, EPI Coordinator, H-4-4